

Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL SOURYAVONG, et al.

Plaintiffs

V.

LACKAWANNA COUNTY, et al.

Defendants

JURY TRIAL DEMANDED

DOCKET NO: 13-1534

**AFFIDAVIT OF CYNTHIA L POLLICK, ESQUIRE IN SUPPORT OF
PLAINTIFFS' REQUEST FOR ATTORNEY FEES**

I, Cynthia L. Pollick, Esquire, hereby declare as follows:

1. I, Cynthia L. Pollick, Esquire, am admitted to practice in the Supreme Court of the United States, Pennsylvania Supreme Court, Supreme Court of New Jersey, United States Court of Appeals for the Third Circuit, United States Court of Appeals for the Sixth Circuit, United States District Courts for the Eastern and Middle Districts of Pennsylvania, United States District Court of New Jersey, and other local courts. I am in good standing in all locations.

2. I graduated from New York University with a Master's Degree in January 2014. I graduated from Gerry Spence's Trial Lawyers College in August 2007. I also received my Masters of Law, LLM, in Trial Advocacy in May 2002 from Temple University Beasley School of Law. I obtained my Law degree from the University of Pittsburgh in 1999.

3. I was employed as a Human Resource Representative for almost four (4) years before obtaining my first law degree.

4. I am a member of SHRM, Society of Human Resources, and was certified as a Professional in Human Resources (PHR). I also am a member of Tri-County Personnel.

5. I taught as an Adjunct Professor at King's College. In that capacity, I taught future Human Resource Managers how to avoid liability by following Federal, State, and Local laws surrounding Civil Rights Laws.

6. I started teaching HRM 380, Employment and Labor Law, at King's College in 2001, and taught four intermittent semesters, finishing my final semester in May of 2007.

7. I am a former law clerk to the Pennsylvania Human Relations Commission, which is the body that enforces discrimination laws for the Commonwealth.

8. I am a former associate of Lenahan & Dempsey.

9. I was admitted to practice law in 1999, and am in my 16th year of the practice of law.

10. I have had my own law practice for 15 years beginning in 2000, and my practice focuses primarily on civil rights matters.

11. I have filed 130 actions in the Middle District of Pennsylvania in addition to lawsuits filed in state and other federal jurisdictions.

12. I represent Plaintiffs in this matter, who have received a judgment in their favor; and therefore, are the prevailing parties.

17. This case totaled 160 document filings and was vigorously contested by Defendants.

18. Plaintiffs' case was taken on a contingency fee basis, which puts the risk of loss on Plaintiffs' counsel.

19. There are very few civil rights lawyers in the Scranton/Wilkes-Barre area.

21. My current hourly rate is \$400.00.

22. The rate of \$400.00 per hour is reasonable since Plaintiff has received that hourly rate and it reflects the market rate in Scranton/Wilkes-Barre area for civil rights lawyers with extensive trial experience and taking those cases on a contingency basis (See Exhibit "C", "D").

23. Plaintiff's counsel has an advanced legal degree (LL.M) specifically focusing on trial work and in 2014 received another master's degree, which separates her from her counterparts.

24. I have been approved the \$400 per hour rate by opposing counsel in the matter of *Vito DePietro v. USDOJ*, USM-2013-00357.

25. I received \$400 per hour in connection with payment of attorney fees in the matter of *Harris v. City of Scranton*, 13-2282, that was resolved with counsel; however opposing counsel did not specifically agree to that hourly rate, yet that was the rate paid.

26. Last year before Plaintiffs' hourly rate was increased she received payment for services from a client at the rate of \$375 per hour.

27. I spent 367.6 hours at a rate of \$400.00, for a total of \$147,040.00. (Exhibit "A", Time Sheets).

28. My Legal Researchers spent 16.75 hours on this matter. Legal Researchers are billed at a rate of \$150.00, for a total of \$2,512.50.00 (See Exhibit "A").

29. My Legal Assistants spent 98.1 hours on this matter. Legal Assistants are billed at a rate of \$100.00, for a total of \$9,810.00. (Exhibit "A").

30. Plaintiff incurred costs associated with this pursuing this case in the amount of \$2,845.25 (Exhibit "B").

31. Plaintiff spent an additional seven (7) hours preparing this Fee Petition, which included analyzing time records and exercising billing judgment.

32. We respectfully request an award of costs and attorney fees in the amount of \$165,007.75 in attorney fees and costs.

The foregoing statements are true and correct to the best of my knowledge and are made pursuant to 28 U.S.C. § 1746 concerning unsworn falsifications to authorities.

/s/ Cynthia L. Pollick
Cynthia L. Pollick, Esquire